

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARINGS
DECEMBER 3, 2009**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 11:01 a.m. on December 3, 2009 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Jeffrey Levin, D.D.S.

MEMBERS PRESENT: Jacqueline G. Pace, R.D.H.
Robert B. Hall, Jr., D.D.S.
Meera A. Gokli, D.D.S.
Myra Howard, Citizen Member
Augustus A. Petticolas, Jr., D.D.S.
Herbert R. Boyd, III, D.D.S.
Martha C. Cutright, D.D.S.

MEMBERS ABSENT: Misty Mesimer, R.D.H.
Paul N. Zimmet, D.D.S.

STAFF PRESENT: Sandra K. Reen., Executive Director
Huong Vu, Administrative Assistant

COUNSEL PRESENT: Howard M. Casway, Senior Assistant Attorney General

OTHERS PRESENT: James E. Schliessmann, Assistant Attorney General
Gail Ross, Adjudication Specialist
Lynn Taylor, Court Reporter, Farnsworth & Taylor Reporting

**ESTABLISHMENT OF
A QUORUM:** With eight members present, a quorum was established.

**Jennifer Moore, D.D.S.
Case No. 127710**

Dr. Moore appeared without counsel, Kerri B. Taylor, in accordance with a Notice of the Board dated November 5, 2009.

Dr. Levin admitted into evidence Commonwealth's exhibits 1 through 6.

Ms. Taylor advised that the Respondent had no additional evidence.

Dr. Levin swore in the witnesses.

Testifying on behalf of the Commonwealth was Vicki Fox, Senior Investigator, Department of Health Professions.

Testifying on behalf of the respondent were her criminal attorney, Charles Sipe, and David C. Blanton, D.D.S.

Dr. Moore testified on her own behalf.

Closed Meeting:

Ms. Pace moved that the Board enter into a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Dr. Moore. Additionally, it was moved that Board staff, Sandra Reen, Huong Vu and Board counsel, Howard Casway attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations. The motion was seconded and passed.

Reconvene:

Ms. Pace moved to certify that only public matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. The motion was seconded and passed.

The Board reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Dr. Levin asked Mr. Casway to report the Findings of Fact, Conclusions of Law and Sanctions adopted by the Board.

Dr. Hall moved to adopt the Findings of Fact and Conclusions of Law as reported by Mr. Casway and to issue an order stating that Dr. Moore's license is reinstated and thereafter suspended indefinitely with said suspension stayed for a period of not less than 36 months from the date of entry of the order. Terms and conditions imposed were:

- Compliance with her Health Practitioner Monitoring Program contract,
- She may not apply for reinstatement of her Drug Enforcement Administration certificate for a period of not less than 36 months and/or without express approval of the Board, and
- She may only possess, administer or prescribe the following Schedule VI drugs: antibiotics, local and topical anesthetic, sealants and fluoride.

The motion was seconded and passed.

ADJOURNMENT:

The Board adjourned at 1:59 p.m.

Jeffrey Levin, D.D.S., President

Sandra K. Reen, Executive Director

Date

Date